

REMARKS

Claims 1 and 5-7 are pending in the application. The current Office Action dated April 4, 2011 rejects claims 1 and 5-7.

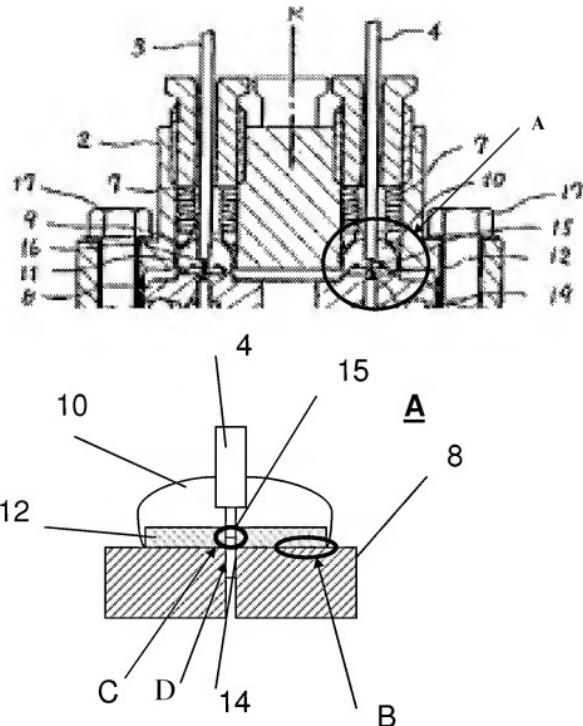
The Office Action Summary does not indicate whether the drawings are acceptable. Acknowledgement of the drawings' acceptability is respectfully requested.

Claims 1 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 59-195565 ("JP '565"). Claims 5-7 are, in the alternative, rejected under 35 U.S.C. 103(a) as being unpatentable over JP '565. The applicant respectfully traverses the rejection for at least the reasons set forth below.

Independent claim 1 as amended recites, in pertinent part, a flow through injection valve comprising a movable member and at least one pin valve. The movable member includes an opening. The pin valve has a pin and a flow through internal conduit extending through the pin. The pin extends through the opening to directly abut a flow through conduit at a bottom region of the opening. The pin valve is movably disposed so that the flow through internal conduit extending through the pin is capable of fluidically communicating with the flow through conduit in the movable member.

This feature is presented by way of example at least at Figure 4B of the applicant's drawings. As shown in Figure 4B, an injection valve 850 comprises a movable member 804' and a pin 3. Flow through internal conduit 58' extends through pin 3. Pin 3 extends through an opening 860' in the movable member 804' to directly abut a flow through conduit 890' at a bottom region of the opening 860' (see also paragraph [0076] of the specification as filed).

FIG. 2 of JP '565 is reproduced below for Examiner's convenience. A blown-up view of FIG. 2 of JP '565 (at section A) is also provided below according to Applicants' understanding of JP '565.



The Office Action refers to sliding members 9 and 10 of JP '565 as being pin valves. However, the Office Action does not point out where JP '565

teaches a pin. Moreover, sliding members 9 and 10 (referred to in the Office Action as spring loaded valve seats) are hemispherical-shaped, and prohibit a pin from directly abutting a flow through conduit at a bottom region of an opening of a movable member. JP '565 does not teach a "pin extending through said opening to directly abut at least one flow through conduit at a bottom region of said opening of said movable member," as recited in amended independent claim 1. Rather, JP '565 teaches a pipe 4 that extends through the sliding member 10 and terminates at a middle portion of the sliding member 10. A communication hole 15 extends from the pipe 4 to a gasket 12 adhered to the bottom surface of the sliding member 10. The sliding member 10, more specifically, the gasket 12, is pressed against the rotor member 8 to form a rubbing surface with the surface of the rotor member 8 (shown at location B). In this manner, a lower end of the communication hole 15 in the sliding member 10 communicates with a communication hole 14 extending through the surface of the rotor member 8 inside the gasket 12 (shown inside the circle at location C).

Thus, even if the lower end of the communication hole 15 extends through a pin, there is no teaching or suggestion in JP '565 of the lower end of the communication hole 15 extending through an opening in the rotor member 8 and directly abutting the communication hole 14 at a bottom region of the opening of the rotor member 8. The bottom surface of the sliding member 10 prohibits the communication hole 15, more specifically, a pin through which the communication hole 15 extends, from extending through an opening in the rotor member 8 at location D. The communication hole 15 in the sliding member 10 does not extend past the bottom surface of either the sliding member 10 or the gasket 12.

Also, the opening in the rotor member 8 at location D includes the communication hole 14, which extends from the surface of the rotor member 8

through at least a portion of the gasket 12 as shown at location C. The communication hole 14 protruding from the surface of the rotor member 8 prevents the sliding member 10 from having a pin that extends through the opening to directly abut the communication hole 14 at a bottom region of an opening of the rotor member 8.

Accordingly, the applicant respectfully requests entry of the amendments to the claims and further requests withdrawal of the rejection of independent claim 1 under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) based on JP '565 because JP '565 does not teach or suggest every element or limitation of the Applicants' invention as now claimed.

Dependent claims 5-7 depend directly or indirectly from independent claim 1 and are patentable for at least those reasons presented above in connection with independent claim 1.

CONCLUSION

Applicant submits that this paper provides a response for all pending claims. Any absence of a reply to a specific rejection, issue, or comment, or to any taking of "official notice" or reliance on "common sense", however, does not signify agreement with or concession of that rejection, issue, comment, taking of "official notice", or reliance on "common sense". In addition, because the arguments made above are not exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed (for example, swearing behind one or more of the cited references).

In view of the arguments made herein, the Applicant submits that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the

Amendment and Response to Final Office Action

WAT-005US (W-359-02)

Application No. 10/597,990

Page 8

Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508)303-2003.

Respectfully submitted,

Date: June 3, 2011
Reg. No. 58,037
Tel. No.: (508) 303-2003
Fax No.: (508) 303-0005

/Timothy P. Collins/
Timothy P. Collins
Attorney for Applicant
Guerin & Rodriguez, LLP
5 Mount Royal Avenue
Marlborough, MA 01752